

IN THE CHANCERY COURT
OF DESOTO COUNTY
STATE OF MISSISSIPPI

WILLIE McNEIL

PLAINTIFF

VS.

CAUSE NO: 87-04-335

ELIZZIE HARDIN, ET AL

DEFENDANTS

DECREE QUIETING AND CONFIRMING TITLE

This cause having come on for hearing on the Complaint filed by Willie McNeil against Defendants, Elizzie Hardin, Bulihah H. Tunstall, Lovie R. McNeil, Anna H. Davis, Savannah Epps, Niles Shinault, Catherine Lloyd, Ross Goodman, Jim Goodman and Elizzah Goodman to quiet and confirm title to certain lands in DeSoto County, Mississippi; that the Court has jurisdiction of the parties and subject matter, having heard the testimony of witnesses, heard argument of counsel and personally inspected the property, does hereby Order, Adjudge and Decree as follows:

1. That no Entry of Appearance has been made by the following Defendants: Niles Shinault, Catherine Lloyd, Ross Goodman, Jim Goodman and Elizzah Goodman and all of said Defendants are hereby in default as to any interest owned by them in the following described property.

2. That the interests of Lovie R. McNeil, Anna H. Davis and Savannah Epps are identical to that of Plaintiff.

3. That the property claimed by Plaintiff was conveyed by R. D. Berry to W. C. McCrary on January 16, 1915, Land Deed Record Book 18, page 211. That the testimony of the only expert witness to appear, Danny Rutherford, Licensed Surveyor, illustrated that the description contained in said Deed corresponds with evidence on the ground of an old wire

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W. E. DAVIS, CLERK

BY E. Miller D.C.

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fence and a steel boundary marker in close proximity to the surveyed North line of the disputed area.

4. That Plaintiff, Lovie R. McNeil, Anna H. Davis and Savannah Epps and their predecessors in title have been in open, notorious, actual, hostile, continuous, peaceable and adverse possession of the following described property for approximately 73 years. Said possession having been demonstrated by paying taxes, farming, pasturing, planting trees, fencing and building of a road; further, Plaintiff has repeatedly taken action each time Defendants did anything of a possessory nature. That Defendants did not attempt to exercise possession until 1983. Said property being described as follows:

Beginning at the Southwest corner of the Southeast Quarter of Section 16, Township 2, Range 5 West, thence East 80 poles to the Southwest corner of J.A. Nesbitts land, thence North 116 poles, thence West 80 poles to the Quarter Section line, thence South 116 poles to the beginning. Containing 58 acres, more or less, being a part of the Southeast Quarter of said Section 16, Township 2, Range 5, also, beginning at the Southeast corner of the Southwest Quarter of the above described Section, thence West 36 poles and 14 links to the Pigeon Roost Road, thence North 22 degrees West 43 poles to the line of Prince Myers' land, thence East 34 poles to an iron stake, thence North 76 poles, thence East 19 poles and 15 links to the Quarter Section line, thence South 116 poles to the beginning. Containing 20 1/2 acres, more or less, being a part of the Southwest Quarter of Section 16, making in all 78 1/2 acres, more or less.

5. That the conveyance from Curley Hardin to Bulihah H. Tunstall, Land Deed Record Book 167, page 219, and to Elizzah Hardin, Land Deed Record Book 167, page 229, create a cloud upon title to property owned by Plaintiff, et al, and should and is hereby removed and declared to be void as to any encroachment on the above described property.


6. That the conveyance to Mattie Goodman recorded in Land Deed Record Book 12, page 64, and held by her successors in title: Niles Shinault, Catherine Goodman, Ross Goodman, Jim Goodman and Elizzah Goodman create a cloud upon title to Plaintiffs', et al, property and the same should be

and is hereby removed and declared to be void as to any encroachment on the above described property.

7. That title to the above described property should be and is hereby confirmed in Willie McNeil, Lovie R. McNeil, Anna H. Davis and Savannah Epps.

8. That a copy of this Decree shall be enrolled in the Land Deed Records of the Chancery Clerk of DeSoto County, Mississippi.

ORDERED, ADJUDGED AND DECREED on this the 7th day of July, 1989.


CHANCELLOR